

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

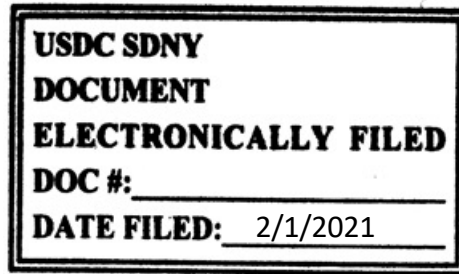
Michael J. Lee, et al.,

Plaintiffs,

-against-

Department of Corrections, et al.,

Defendants.



1:20-cv-08407 (GBD) (SDA)

ORDER

**STEWART D. AARON, United States Magistrate Judge:**

Following a telephone conference with the parties, it is hereby Ordered as follows:

1. No later than Friday, February 5, 2021, Defendants shall answer, move or otherwise respond to the Second Amended Complaint ("SAC").
2. On consent of Defendants' counsel, the Court deems the SAC amended to substitute the City of New York as a Defendant in place of the Department of Corrections.
3. No later than Monday, February 8, 2021, Defendants shall file a letter setting forth:  
(a) the requirements, if any, set forth by statute, regulation and/or executive order that are applicable to addressing COVID-19 in New York City correctional facilities and the Vernon C. Bain Center ("VCBC") in particular; and (2) what legal resources, if any, are available to a pretrial detainee, such as Plaintiff, regarding habeas relief in state court. The City shall serve a copy of its letter on Plaintiff via express mail or its equivalent.
4. If Plaintiff seeks, from this Court, injunctive relief in the form of compassionate release or otherwise, he shall file papers in support of that motion no later than February 16, 2021. Such papers shall include a sworn declaration regarding Plaintiff's medical

condition and the conditions in VCBC.

The Clerk of Court is respectfully requested to update the docket to reflect the substitution of Defendant Department of Corrections with the City of New York, as set forth in paragraph 2 above.

The Clerk of Court is further requested to mail a copy of this Order to the *pro se* Plaintiff.

**SO ORDERED.**

DATED: New York, New York  
February 1, 2021

A handwritten signature in black ink, reading "Stewart D. Aaron", is written over a horizontal line.

STEWART D. AARON  
United States Magistrate Judge